

**STATE OF TENNESSEE**

**PUBLIC CHAPTER NO. 569**

**HOUSE BILL NO. 1369**

**By Representative Fitzhugh and Mr. Speaker Williams**

**Substituted for: Senate Bill No. 1357**

**By Senator McNally**

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37, relative to Tennessee Consolidated Retirement System and to amend Title 8, Chapter 38, Part 1, relative to social security.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 35, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 8-35-2\_\_.

(a) The chief governing body of any employer participating in the retirement system pursuant to chapter 35, part 2 of this title may by resolution legally adopted and approved by two-thirds (2/3) majority of that body elect to discontinue the noncontributory provisions of § 8-34-206 for all employees employed after the effective date of the resolution and to have the contributions made by such employees treated as employer contributions pursuant to § 8-37-216. Employees who were employed prior to this date will continue to be eligible for the noncontributory provisions of § 8-34-206. Any such resolution shall set forth the effective date of the discontinuance; provided that such date shall be on the first day of any quarter following a minimum of three (3) months' notice to the retirement system.

(b) Any resolution to discontinue the noncontributory provisions of § 8-34-206 that is adopted pursuant to this section shall be irrevocable and the employer shall not be permitted to elect at a later date to provide the noncontributory provisions of § 8-34-206.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: June 16, 2009**

A handwritten signature in black ink, reading "Kent Williams", written over a horizontal line.

KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

A handwritten signature in black ink, reading "Ron Ramsey", written over a horizontal line.

RON RAMSEY  
SPEAKER OF THE SENATE

**APPROVED this 1st day of July 2009**

A handwritten signature in black ink, reading "Phil Bredeesen", written over a horizontal line.

PHIL BREDESEN, GOVERNOR